

Before the Board of Zoning Adjustment, D. C.

Application No. 11594, of the District of Columbia Association for Retarded Children Occupational Training Center, pursuant to Sections 8207.2 and 8207.1 of the Zoning Regulations for a special exception to erect an addition to a private school and variances from the lot occupancy and parking requirements of the R-2 zone at the premises located at 405 Riggs Road, N. E., Lots 90-97, Square 3741.

HEARING DATE: March 20, 1974

EXECUTIVE SESSION: March 26, 1974

FINDINGS OF FACT:

1. The applicant proposes to erect the requested additions in order to raise the level of efficiency of all of its programs, to allow an increase in the number of students and clients, to improve and expand sheltered workshop activities, to expand the types of jobs and job settings and to allow development of more effective counseling and psychotherapeutic program.

2. The existing structure to which the proposed addition is to be added is a nonconforming structure in that it exceeds the lot occupancy allowed in the R-2 zone by 3,657.78 square feet.

3. The proposed addition would increase the total lot occupancy to 17,021.45 square feet, or approximately 76% of the lot.

4. The lot occupancy allowed by the R-2 zone is 40%.

5. The requested variances from the side yard requirements and the rear yard requirement are necessary because applicant proposed to reconstruct existing walls on present building lines which are nonconforming.

6. The subject school use requires 26 parking spaces and presently provide seven spaces.

7. The applicant proposes as a variance request to provide the required additional parking spaces across Riggs Road in the shopping center at the allowance of the owner of that property.

8. Most of the property surrounding the subject property on the north, east and west is developed with semi-detached residential structures.

9. Letters filed in the record reflect support of this application by several D. C. agencies based upon the value of the services the applicant performs for this city.

10. Opposition at public hearing was registered by neighbors of the subject property regarding supervision of the students at school, inadequate control of garbage and trash located on the site, car washing in the alley to the rear of the subject property carried on by personnel of the applicant's school.

11. No architectural renderings were submitted to the record to indicate the style and design of the proposed addition and reconstructed building.

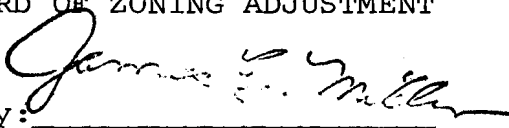
CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board is of the opinion that the requested variance from the lot occupancy requirements of the R-2 District cannot be granted without having an adverse affect upon the neighborhood and without impairing the intent of the zoning map and plan. The Board further concludes that the applicant has not demonstrated a hardship as required by the variance clause to justify the granting of a 36% variance from the lot occupancy requirements. This variance being denied, the Board finds no need to decide the requested side and rear yard variances, or the parking variances.

ORDERED: That the above application be DENIED.

VOTE: 5-0

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: 

JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER: **MAY 9 1974**